

**Newly Enacted Statutes Affecting
Public Schools and Pupils
Passed During the 2005 Legislative Session
and the 22nd Special Session**

**as required by
NRS 385.210**

**provided by
Keith Rheault
Superintendent of Public Instruction**

June 30, 2005

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2005 LEGISLATIVE BILL SUMMARY

This document is intended to provide a quick reference to the newly enacted statutes passed by the 2005 Legislature that affect K-12 education in Nevada. The document does not provide the specific details needed, in many cases, to carry out the requirements of the statutes. Each bill as enrolled should be referred to when specific wording and requirements to the statute changes are desired. The full text of each enrolled bill can be found on the Nevada Legislative Home Page at www.leg.state.nv.us under Session Information (2005 Session or 22nd Special Session) by clicking on the appropriate bill listed under Bill Information.

ASSEMBLY BILLS AND RESOLUTIONS

Assembly Bill 70 - Expresses sense of Legislature concerning use of school buildings and facilities by certain groups and organizations

Summary of Statute Changes

- The Legislature encourages the Board of Trustees of each school district to adopt policies, or, if applicable, to revise existing policies and regulations, governing the use of school buildings and facilities by groups and organizations that are not part of the school district in a manner that will minimize costs to the school district as well as minimize costs to those groups and organizations that are dedicated to the furtherance and benefit of the mission of the school district.
- Any policy or regulation adopted by the Board of Trustees concerning the use of school buildings and facilities by groups and organizations that are not part of the school district should be applied as consistently as possible by all schools located in that school district.
- The Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

No plan of action to be developed. Bill does not mandate that School District Boards of Trustees revise current policies. School District Boards of Trustees shall be informed of the bill requirements by July 1, 2005, by Department staff.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102

Assembly Bill 76 Authorizes boards of trustees of school districts to accommodate medical absences in policy for attendance of pupils at school.

Summary of Statute Changes

- Existing law required the Board of Trustees to prescribe a minimum number of days that a pupil who is enrolled in a school in the district must be in attendance for the pupil to obtain credit or to be promoted to the next higher grade.
- Allows the Board of Trustees of a school district to adopt a policy to exempt pupils who are physically or mentally unable to attend school from the 10-day limitation on absences.
- If the Board of Trustees of a school district adopts such a policy, a pupil is still required to comply with the minimum number of days of attendance, however, the days on which the pupil is absent because the pupil is physically or mentally unable to attend school must be credited towards the required days of attendance if the pupil has completed course-work requirements.
- The Act became effective upon passage and approval by the Governor on May 9, 2005.

Assembly Bill 76 (continued)

State Board/Department of Education Action Required

No plan of action to be developed. Bill does not mandate that school district Boards of Trustees revise current attendance policies.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224

Assembly Bill 93 -Makes a supplemental appropriation to the State Distributive School Account for unanticipated expenses for Fiscal Year 2004-2005 for providing health care subsidies

Summary of Statute Changes

- Appropriates the sum of \$7,912,640 for unanticipated expenses for Fiscal Year 2004-2005 for providing health care subsidies to retired school district employees from the State General Fund to the State Distributive School Account.
- Any remaining balance of the supplemental appropriation made must not be committed for expenditure after June 30, 2005, and must be reverted to the State General Fund on or before September 16, 2005.
- The Department of Education shall make an allocation to each school district in the proportion of its obligation to the total obligation for all school districts.
- The Act became effective upon passage and approval by the Governor on June 3, 2005.

State Board/Department of Education Action Required

Department of Education fiscal staff will verify obligations of each school district regarding the health care subsidies to retired school district employees and make allocations to all eligible school districts no later than June 30, 2005. Fiscal staff shall monitor the allocated funds to insure that all funds have been requested by school districts prior to September 1, 2005.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102

Assembly Bill 108–Revises provisions governing appointment of hearing officers in certain cases involving licensed educational personnel.

Summary of Statute Changes

- Removes the requirement that the State Board of Education maintain a list of hearing officers to be used in cases involving the demotion, dismissal or a refusal to reemploy licensed educational personnel of a school district.
- In cases involving the suspension or revocation of a license issued by the state, the bill removes the requirement that the licensee select a hearing officer from a list of individuals provided by the American Arbitrators Association.
- The bill standardizes the appointment of hearing officers for all cases involving a request for a person to serve as a hearing officer. The request for a hearing officer must be submitted to the Superintendent of Public Instruction and the appointment will be made from a list of available hearing officers provided by the Hearings Division of the Department of Administration.

Assembly Bill 108 (continued)

- The bill allows the school district and licensed employee, in lieu of using a hearing officer appointed by the Hearings Division of the Department of Administration, to mutually select an attorney to serve as a hearing officer, use an arbitrator provided by the American Arbitration Association, or utilize a representative of an agency or organization that provides alternative dispute resolution services in cases involving the demotion, dismissal or a refusal to reemploy a licensed employee of a school district.
- The Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Department of Education staff will prepare a letter that addresses the changes made to the hearing officer process and provide a copy of the letter to each school district superintendent by July 31, 2005. Nevada Administrative Code will be revised and adopted by the State Board of Education to align the regulations governing the hearing officer process with the statutory changes made by the bill no later than October 30, 2005.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Assembly Bill 109 – Revises provisions governing statewide system of accountability and regional training programs for professional development of teachers and administrators.

Summary of Statute Changes

- Amends existing law regarding the authority of technical assistance partnerships established for schools that have been designated as demonstrating need for improvement. The revision allows, but does not require, that the technical assistance partnership can request that the school for which the partnership was established submit plans, strategies, tasks and measures that, in the determination of the partnership, will assist the school in improving the achievement and proficiency of pupils enrolled in the school.
- Specifies that the Department of Education representative who serves on the school support team established for schools designated as demonstrating need for improvement for three consecutive years shall serve as the facilitator of the support team.
- Amends existing law regarding the responsibilities of a school support team to include: school improvement plan that set forth goals, objectives, tasks and measures that are designed to improve achievement of the school's pupils; the identification of names and duties of each person who is responsible for carrying out the revisions; and the preparation of a monthly progress report in the format prescribed by the Department of Education.
- The required monthly progress report must be submitted to the Department of Education and each employee of the school for review.
- This bill redesignates the four regional training programs to reflect the geographic regions served by each program. The four regional training programs include the Southern Nevada Regional Training Program, the Western Nevada Regional Training Program, the Northeastern Nevada Regional Training Program and the Northwestern Nevada Regional Training Program.
- In addition, this bill provides that the four school districts which receive money for the regional training programs serve as the fiscal agents for the maintenance and support of the programs.
- Changes the date of submission of the annual report required by the governing body of each regional training program from July 1 to September 1 of each year.
- The act becomes effective July 1, 2005.

Assembly Bill 109 (continued)

State Board/Department of Education Action Required

Department of Education staff shall develop the format of the required monthly progress reports by August 30, 2005. Department staff shall notify, in writing, all technical assistance partnerships established for schools that have been designated as demonstrating need for improvement of the changes made to the responsibilities of the partnerships outlined in the bill by August 30, 2005. Department staff shall provide a copy of the bill summary to each regional training program by July 1, 2005.

Primary Department Contact

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

Assembly Bill 154 – Revises provisions governing statewide system of accountability for school districts and public schools

Summary of Statute Changes

- The bill requires that the State Board of Education, the Boards of Trustees of each school district, and the principal of each school prepare a summary of the annual report of accountability required of each respective entity.
- The Department of Education, in consultation with the Legislative Counsel Bureau and the school districts, shall prescribe a form for the development of the summary reports by August 15, 2005.
- The summary reports for all three entities (State Board of Education, the Boards of Trustees of each school district, and the principal of each school) must be available on or before September 7 of each year for public dissemination.
- The summary reports are to be posted on the Internet website maintained by each entity and sufficient notice regarding the availability and access to the reports are to be provided to parents and legal guardians of pupils enrolled in the schools. Upon request, a written copy of the summary report shall be provided to a parent or legal guardian. (See additional dissemination requirement for the principal of each school provided below)
- The principal of each school shall provide an electronic copy of the summary report to the Department of Education, the Legislative Counsel Bureau, and Board of Trustees of the school district. In addition, the Principal of each school must provide a written copy of the summary report to each parent or legal guardian of a pupil in the school on or before September 7 of each year.
- The Department of Education shall provide an electronic copy of the summary report to the Governor, the Legislative Committee on Education, the Legislative Counsel Bureau, the Board of Regents, the Board of Trustees of each school district and the Governing Body of each charter school.
- The Boards of Trustees of each school district shall provide an electronic copy of the summary report to the Governor, the State Board of Education, the Department of Education, the Legislative Committee on Education, the Legislative Counsel Bureau, and all schools within the school district.
- The Boards of Trustees of each school district shall report the information required for each charter school that is located within the school district regardless of the sponsor of the charter school. Any aggregate information in the report shall include charter schools that are sponsored by the school district but not the charter schools sponsored by the State Board. Charter schools sponsored by the State Board that are located within the school district shall be denoted separately in the report.
- Requires the Department of Education or the Board of Trustees of a school district, as applicable, to recognize a school as an exemplary turnaround school if the school was designated as demonstrating need for improvement and within 3 consecutive years after the school received the designation, the school is designated as demonstrating exemplary achievement or high achievement.

Assembly Bill 154 (Continued)

- Requires the Department of Education to recognize a school district as an exemplary turnaround school district if the school was designated as demonstrating need for improvement and within 3

consecutive years after the school district received the designation, the school district is designated as demonstrating exemplary achievement or high achievement.

- Expands the required information to be included in the annual reports of accountability to include the number of persons employed as long term substitute teachers (20 consecutive days or more in the same classroom or assignment) including the number of days of employment, grade level and subject area if applicable beginning on or after July 1, 2005.
- Expands the required information to be included in the annual reports of accountability to include the number of persons employed as short term substitute teachers (less than 20 consecutive days in the same classroom or assignment) including the total number of days of employment at each school, grade level and subject area if applicable beginning on or after July 1, 2006.
- Expands the required information to be included in the annual reports of accountability to include a compilation of the programs of remedial study purchased in whole or in part with money received from this State that are used in each school district, including, without limitation, each charter school in the district; a compilation of the special programs available for pupils at individual schools, listed by school and by school district, including, without limitation, each charter school in the district.
- Changes the date from April 1 to August 15 of each year that the Boards of Trustees of each school district must provide a copy of the accountability report dealing with attendance and truancy of pupils in all grades to each advisory board established to review school attendance.
- Extends the date from June 15 to June 30 of each year for the Department to determine if a year round school (other than a traditional 9-month schedule) is making adequate yearly progress.
- Requires that on or before July 15 of each year, the governing body of a charter school that is sponsored by the State Board shall submit the accountability report information to the Department of Education in a format prescribed by the Department. The Department shall forward the information to the school district in which the charter school is located for inclusion in the summary that is prepared by the school district.
- Moves the state required writing examination from 4th grade to 5th grade.
- Designates that all fees collected from private school licensure requirements shall be credited to an appropriate account of the Department of Education.
- Revises statutes to read that pupils in grade 10 beginning in the 2007-2008 school year must pass the required science portion of the high school proficiency examination before the completion of grade 12 (2009-2010 school year) to receive a standard high school diploma.
- The portions of the Act dealing with annual yearly progress for year round schools and the development of the summary report format established by the Department of Education became effective upon passage and approval of the Governor on June 10, 2005. The remaining portions of the Act become effective on July 1, 2005.

State Board/Department of Education Action Required

Department of Education staff shall work with school district representatives and Legislative Counsel Bureau staff to prescribe the form to be used regarding the summary report information no later than August 15, 2005. Notification of the summary report form requirement, to include an electronic version of the form, will be provided to all school districts and charter schools by Department of Education staff by August 30, 2005. All school districts and charter schools shall be notified of the changes relating to the 4th grade writing examination being moved to 5th grade. Appropriate changes to be made to the manuals developed for the Nevada Proficiency Examination Program guidelines including implementation instructions by September 30, 2005.

Primary Department Contact

Paul LaMarca, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

Assembly Bill 162 – Revises provisions governing charter schools and educational personnel.

Summary of Statute Changes

- Authorizes the governing body of a charter school, upon the initial renewal of a written charter and each renewal thereafter, to request a change in the sponsorship of the charter school to an entity that is authorized to sponsor charter schools (State Board of Education or Nevada School Districts who have applied to the Department of Education to be charter school sponsors).
- Provides that upon the first renewal of a written charter and each renewal thereafter, that the sponsor of the charter school may not prescribe additional requirements or terms for the charter school unless the additional requirements or terms are specifically authorized by statute, regulation or the written charter.
- Authorizes a charter school that is dedicated to providing educational programs and opportunities to at-risk pupils to give preference in enrollment to a sibling of a pupil who is currently enrolled in the charter school or a pupil who resides within 2 miles of the charter school if the charter school is located in an area with a high percentage of at-risk pupils. If more pupils are eligible for enrollment under these changes than the number of spaces available, the charter school shall determine which applicants to enroll on the basis of a lottery system.
- Provides specific authority for the governing body of a charter school to make decisions concerning the terms and conditions of employment of the employees of the charter school. The collective bargaining agreement of the school district continues to apply to an employee who is on approved leave of absence only with respect to matters relating to his status and employment with the school district.
- Requires the Commission on Professional Standards in Education to adopt regulations providing for the issuance of a license to teach to a person who: (1) holds a graduate degree from an accredited college or university in the field for which he will be providing instruction; (2) is not licensed to teach in another state; (3) has at least 5 years of experience teaching with satisfactory evaluations at an accredited private school; and (4) has participated in a program of student teaching or mentoring or agrees to participate in a program of mentoring.
- The amendatory provisions of the bill regarding the terms and conditions of employment at the charter school do not apply to a person who is, before July 1, 2005, employed by a charter school and on a leave of absence from a school district.
- The student enrollment provisions and the employment provisions of this act became effective upon passage and approval of the Governor on June 14, 2005. The remaining sections of the Act become effective on July 1, 2005.

State Board/Department of Education Action Required

Nevada Administrative Code regarding Charter Schools will be reviewed and revised, as needed, to address the statutory changes made by this bill. The State Board of Education will adopt any needed regulation changes no later than December 30, 2005. The Commission on Professional Standards in Education, working with Department of Education staff, will need to develop and adopt regulations governing the issuance of the new license authorized by the bill no later than December 30, 2005.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224 (Teacher Licensing Provisions)
Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174 (Charter School Provisions)

Assembly Bill 168 - Revises provisions governing charter schools

Summary of Statute Changes

- Amends existing law to grant the State Board discretion whether to approve or deny an application request for sponsorship of a Charter School similar to the discretion that is currently granted to the Board of Trustees of a school district.
- Provides that if the State Board denies an application for sponsorship, it must include in the written notice of denial the reasons for the denial and must also provide the committee to form the charter school an opportunity to correct the deficiencies within 30 days after receipt of the written notice and resubmit the application.
- Requires the Superintendent of Public Instruction to provide a report, on or before January 1 of each odd-numbered year, to the Legislature that includes: A list of each application to form a charter school that was submitted to the Board of Trustees of a school district or the State Board during the immediately preceding biennium; The educational focus of each charter school for which an application was submitted; The current status of the application; and If the application was denied, the reasons for the denial.
- The Act became effective upon passage and approval by the Governor on June 8, 2005

State Board/Department of Education Action Required

Nevada Administrative Code regarding Charter Schools will be reviewed and revised, as needed, to address the statutory changes made by this bill. The State Board of Education will adopt any needed regulation changes no later than December 30, 2005. Department of Education staff will revise the application packet developed for charter schools to include the changes made by this bill and any regulations adopted by the State Board.

Primary Department Contact

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174

Assembly Bill 180Revises provisions governing charter schools and automated system of accountability information for public schools.

Summary of Statute Changes

- Allows a Committee to Form a Charter School the opportunity to submit an application directly to the State Board without first being denied by a school district, regardless of whether the proposed charter school is designed exclusively for the enrollment of special education pupils. This section applies to each application to form a charter school that is pending before the State Board of Education on and after the effective date of this act.
- Amends existing law to grant the State Board discretion whether to approve or deny an application request for sponsorship of a Charter School similar to the discretion that is currently granted to the Board of Trustees of a school district.
- Requires each member of the governing body of a charter school to submit an affidavit to the Department of Education indicating that he has read and understands the material concerning membership on the governing body provided by the Department.
- If a charter school is sponsored by the Board of Trustees of a school district located in a county whose population is 100,000 or more, except for a program of distance education provided by the charter school, the charter school shall enroll pupils who are eligible for enrollment who reside in the school district in which the charter school is located before enrolling pupils who reside outside the school district.
- Allows the charter school the ability to employ a person who possesses a valid teacher's license issued with an administrative endorsement to be employed as the school administrator.

Assembly Bill 180 (continued)

- Reduces the period during which a licensed teacher who is on a leave of absence from a school district to work at a charter school may return to a guaranteed comparable teaching position in the district from 6 years to 3 years.
- Requires the governing body of a charter school that is sponsored by the State Board, on or before July 15 of each year, to submit the required accountability report information to the Department in a format prescribed by the Department. The Department shall prepare a separate report of accountability information for the charter schools sponsored by the State Board.
- Allows school districts and charter schools to use the information maintained on student assessment results for the purpose of improving the achievement of pupils and improving classroom instruction but must not be used for the purpose of evaluating an individual teacher or paraprofessional.
- The amendatory provisions of the bill regarding the leave of absence from a school district do not apply to a person who is, before July 1, 2005, employed by a charter school and on a leave of absence from a school district.
- All provisions of this act become effective on July 1, 2005 with the exception of the charter school applicant being able to go directly to the State Board for sponsorship which became effective upon passage and approval by the Governor on June 17, 2005.

State Board/Department of Education Action Required

Nevada Administrative Code regarding Charter Schools will be reviewed and revised, as needed, to address the statutory changes made by this bill. The State Board of Education will adopt any needed regulation changes no later than December 30, 2005. Department of Education staff will revise the application packet developed for charter schools to include the changes made by this bill and any regulations adopted by the State Board.

Primary Department Contact

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174

Assembly Bill 182 - Requires principals and school nurses to allow pupils to self-administer prescribed medications for asthma and anaphylaxis under certain circumstances.

Summary of Statute Changes

- Allows a parent or legal guardian of a pupil who has asthma or anaphylaxis to request authorization from the principal or if applicable, the school nurse of the public school in which the pupil is enrolled to allow the pupil to self administer medication for the treatment of asthma or anaphylaxis while the pupil is on the grounds of a public school, at an activity sponsored by a public school or on a school bus.
- A written request made by a parent or legal guardian must include: A signed statement of a physician indicating that the pupil has asthma or anaphylaxis and is capable of self-administration of the medication; A written treatment plan prepared by the physician pursuant to which the pupil will manage his asthma or anaphylaxis if the pupil experiences an asthmatic attack or anaphylactic shock while on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus; A signed statement of the parent or legal guardian indicating that the parent or legal guardian grants permission for the pupil to self-administer the medication and acknowledgement of the immunity from liability provisions of the bill.
- Specifies that the Board of Trustees of the school district, the school district and the public school in which the pupil is enrolled, and any employee, are immune from liability for the injury to or death of the pupil as a result of self administration of a medication or the failure of the pupil to self-administer such a medication.

Assembly Bill 182 (continued)

- Requires the principal (or school nurse) to provide written authorization for the pupil to carry and self-administer medication. The written authorization must be on file and include: The name and purpose of the medication; The prescribed dosage and the duration of the prescription; The times or circumstances, or both, during which the medication is required or recommended for self-administration; The side effects that may occur from an administration of the medication; and The name and telephone number of the pupil's physician and the name and telephone number of the person to contact in the case of a medical emergency concerning the pupil.
- Specifies that the written authorization is valid for 1 school year.
- If a parent or legal guardian provides to the principal or if applicable, the school nurse doses of the medication in addition to the dosage that the pupil carries on his person, the principal or if applicable, the school nurse shall ensure that the additional medication is stored on the premises of the public school in a location that is secure; and readily available if the pupil experiences an asthmatic attack or anaphylactic shock during school hours.
- Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

School districts will be notified of the bill requirements. Boards of Trustees may need to develop or revise current policies governing the implementation of the bill provisions.

Primary Department Contact

Donnell Barton, Office of Nutrition and School Health, Telephone Number: (775) 687-7284

Assembly Bill 202 - Revises provisions governing safe and respectful learning environment in public schools

Summary of Statute Changes

- Requires the Department, in consultation with the boards of trustees of school districts, educational personnel, local associations and organizations of parents whose children are enrolled in public schools throughout this State, and individual parents and legal guardians whose children are enrolled in public schools throughout this State, to prescribe by regulation a policy for all school districts and public schools to provide a safe and respectful learning environment that is free of harassment and intimidation.
- Requires the Board of Trustees of each school district to adopt the policy prescribed by the Department and provide for the appropriate training of all administrators, principals, teachers and all other personnel employed by the Board of Trustees in accordance with the policy prescribed by the Department.
- Requires school districts, on or before September 1 of each year, to submit a report to the Superintendent of Public Instruction that includes a description of each violation involving intimidation and harassment occurring in the immediately preceding school year that resulted in personnel action against an employee or suspension or expulsion of a pupil, if any.
- Requires the Superintendent of Public Instruction, on or before October 1 of each year, to compile the reports submitted by school districts, prepare a written report of the compilation and submit the written compilation to the Attorney General.
- Requires the Board of Trustees of each school district to adopt the policy prescribed by the Department of Education, or an expanded policy, to provide a safe and respectful learning environment on or before July 1, 2006. The Board of Trustees of each school district must ensure that the policy is effective commencing with the 2006-2007 school year.
- Act becomes effective on July 1, 2005 with the exceptions noted for the development of the state and local policies.
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Assembly Bill 202 (continued)

State Board/Department of Education Action Required

The bill stipulates that on or before January 1, 2006, the Department of Education shall prescribe a policy for all school districts and public schools to provide a safe and respectful learning environment. The Board of Trustees of each school district must ensure that the policy is effective on or before July 1, 2006.

Primary Department Contact

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

Assembly Bill 206 Provides for issuance of special license for persons with certain graduate degrees and work experience to teach pupils in public schools.

Summary of Statute Changes

- Establishes a new license, with regulations to be adopted by the Commission on Professional Standards in Education, designated as a special qualifications license for an applicant with a master's degree or doctoral degree from an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom.
- Requires an applicant to have at least 2 years of experience teaching at an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and at least 3 years of experience working in that field or at least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.
- Requires an applicant for a special qualifications license to pass each State required proficiency examination for the specific subject or subjects in which the applicant will provide instruction or hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the master's degree or doctoral degree held by the applicant.
- Authorizes the Commission on Professional Standards in Education to designate the grades and subject areas in which the person may teach with a special qualifications license.
- Specifies that a special qualifications license is valid for 3 years and may be renewed in accordance with the regulations of the Commission
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

The Commission on Professional Standards in Education working with Department of Education staff will develop and adopt regulations governing the issuance of the new license authorized by the bill no later than December 30, 2005.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224.

Assembly Bill 231 - Requires local and regional governmental entities to conduct study of safe walking routes in certain area near schools

Summary of Statute Changes

- Requires the regional planning coalition and the regional planning commission, in a county whose population is 100,000 or more, in conjunction with the county school district and other local governments in the county to conduct a study of safe walking routes for pupils to public schools in the county.

Assembly Bill 231 (continued)

- Specifies that the study must include, without limitation: A review and evaluation of the existing walking paths and sidewalks within a 1-mile radius of each public school located in the county;

Recommendations for improvements to the conditions of those walking paths and sidewalks; and a review and evaluation of the programs currently implemented in the county to ensure safe walking routes for pupils to schools.

- The regional planning coalition and regional planning commission shall each submit a report of the results of its study to the Director of the Legislative Counsel Bureau for transmittal to the 74th Session of the Nevada Legislature.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

No plan of action to be developed. District information only.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Assembly Bill 280 - Revises provisions regarding University and Community College System of Nevada

Summary of Statute Changes

- Only one section of the bill specifically relates to K-12 education in which the Board of Regents, in cooperation with the State Board and the Council to Establish Academic Standards for Public Schools, is required to ensure that students enrolled in a program developed by the System for the education of teachers are provided instruction regarding the standards of content and performance required of pupils enrolled in high schools in this State.
- This section of the Act became effective upon passage and approval by the Governor on June 8, 2005.

State Board/Department of Education Action Required

The State Board and the Council to Establish Academic Standards for Public Schools will participate with the Board of Regents upon being contacted by the Board of Regents.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

Assembly Bill 388 - Revises provisions regarding occupational education.

Summary of Statute Changes

- Changes the name of the State Board for Occupational Education to the State Board for Career and Technical Education.
- Changes the term “occupational education” to “career and technical education”.
- Requires that an advisory technical skills committee be appointed by the superintendent of schools of the school district consisting of specific membership categories.
- Specifies the responsibilities of the advisory technical skills committee to include: review and advice to the school district regarding the program of career and technical education to determine its effectiveness; technical assistance in designing and revising as necessary the curriculum for the program of career and technical education; develop work-based experiences for pupils enrolled in the program of career and technical education; meet at least three times each calendar year; and provide the school district any recommendations regarding the program of career and technical education and any actions of the committee.

Assembly Bill 388 (continued)

- Requires the State Board for Career and Technical Education to adopt regulations prescribing the endorsement of career and technical education for a high school diploma.

- Allows a pupil who successfully completes a program of career and technical education and who otherwise satisfies the requirements for graduation from high school to be awarded a high school diploma with an endorsement indicating that the pupil has successfully completed the program of career and technical education. These provisions do not preclude a pupil from receiving more than one endorsement on his diploma, if applicable.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

The State Board working with Department of Education staff will need to develop and adopt regulations prescribing the endorsement for career and technical education for a high school diploma authorized by the bill no later than December 30, 2005. School District Superintendents will need to establish a technical skills advisory committee, if one does not currently exist within the school district. Department of Education staff to provide guidance to school districts relating to the technical skills advisory committee no later than September 1, 2005.

Primary Department Contact

Phyllis Dryden, Director of the Office of Career, Technical & Adult Education, Telephone Number: (775) 687-9144

Assembly Bill 395 - Prohibits use of false or misleading degrees.

Summary of Statute Changes

- Prohibits the use or attempted use of a false or misleading degree or honorary degree granted by a private entity or public postsecondary educational institution and the use or attempted use of a degree or honorary degree granted by such an entity or institution in a false or misleading manner, regardless of whether that entity is located in this State and regardless of whether that entity is authorized to operate in this State.
- Establishes that a person who violates the provisions of this section is guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.
- Provides that in addition to any criminal penalty imposed, a person who violates the provisions of this section is also subject to a civil penalty in an amount not to exceed \$5,000 for each violation.
- Provides that the Attorney General or any district attorney of this State may recover the penalty in a civil action brought in the name of the State of Nevada in any court of competent jurisdiction.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Information regarding the prohibition of using false or misleading degrees will be developed and included in the application packets for licensed personnel provided by the Department of Education no later than September 1, 2005. School district human resources departments will also be notified and provided information regarding the provisions of the bill by September 1, 2005 by Department of Education staff.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

Assembly Bill 411 - Requires Nevada Association of School Boards to study feasibility and necessity of safety restraints on school buses.

Summary of Statute Changes

- Requires the Nevada Association of School Boards to study the feasibility and necessity of the use of safety restraints by pupils on school buses.

- The study must include, without limitation: A determination whether safety restraints are necessary to enhance the safety of pupils on school buses; A plan for the installation of appropriate safety restraints in school buses and the implementation of requirements for pupils to wear the safety restraints, including, without limitation, a time frame for carrying out the plan; The costs of implementing the plan; The manner by which the school districts in this State may enforce the use of safety restraints by pupils; and Recommendations for appropriate disciplinary action for pupils who refuse to wear the safety restraints or who use the safety restraints in an unsafe manner.
- Requires the Nevada Association of School Boards to submit a written report, on or before February 1, 2007, of the results of the study, including, without limitation, any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

No plan of action to be developed, however, Department of Education school transportation staff will offer technical assistance to the School Boards Association, as needed, to complete the study. District information only.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

Assembly Bill 518 - Authorizes school districts to prescribe minimum attendance requirements for pupils in kindergarten and first grade and for pupils in certain remedial programs.

Summary of Statute Changes

- Authorizes the Superintendent of Public Instruction, upon application by the Board of Trustees of a school district, to approve additional days or minutes of instruction for a program of remedial education that is fully paid for through the school district, including, without limitation, the provision of transportation.
- If the Superintendent of Public Instruction authorizes such additional days or minutes, the Board of Trustees may adopt a policy prescribing the minimum number of days of attendance or the minimum number of minutes of attendance for a pupil who is determined to need such remedial education.
- If adopted, the policy must include the criteria for determining pupil enrollment in the program of remedial education, the procedure pursuant to which parents and guardians will be notified of the pupil's progress throughout the school year and a process for appealing a determination regarding a pupil's need for remedial education.
- Specifies that if the Board of Trustees of a school district has adopted a policy prescribing a minimum number of days of attendance for pupils enrolled in kindergarten or first grade, the school district shall provide to each parent and legal guardian of a pupil who elects to enroll his child in kindergarten or first grade a written document containing a copy of that policy and a copy of the policy of the school district concerning the withdrawal of pupils from kindergarten or first grade.

Assembly Bill 518 (continued)

- Requires the parent or legal guardian to sign a statement, before the child's first day of attendance at a school, on a form provided by the school district acknowledging that he/she has read and understands the policy concerning attendance and the policy concerning withdrawal of pupils from kindergarten or first grade.

- Authorizes the Board of Trustees of a school district to adopt a policy prescribing a minimum number of days that a pupil who is enrolled in kindergarten or first grade in the school district must be in attendance for the pupil to obtain credit or to be promoted to the next higher grade.
- Requires that the parent or legal guardian shall comply with the applicable requirements for attendance.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Requirements of the bill are not mandatory for districts to comply with, so no plan of action will be developed. Applications submitted for approval to the Superintendent of Public Instruction will be reviewed on an individual basis as they are received.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Assembly Bill 526 - Revises provisions governing class-size reduction program and National School Lunch Program.

Summary of Statute Changes

- Creates a separate funding category in the Distribute School Account budget to be designated as “Nutrition State Match.” in an amount that satisfies the required matching funds from this State for participation in the National School Lunch Program.
- Specifies that for those school districts that participate in the National School Lunch Program, the amount appropriated must be a reduction in the total amount of basic support calculated for those school districts.
- Requires each school district receiving money that is designated as a “Nutrition State Match” to verify that the money is used to support the National School Lunch Program.
- Requires the Superintendent of Public Instruction to apportion the “Nutrition State Match” to eligible school districts on or before August 1 of each year.
- Prescribes circumstances under which a school district is required to request a variance from the requirements of the class-size reduction program to include: Each school district that does not meet the ratio of pupils per class based on the legislative appropriation for the program; or Defined by a legislatively approved alternative class-size reduction plan, if applicable, to that school district.
- Includes a declaration by the Legislature of its’ intent that the use of team-teaching for the purpose of satisfying the requirements of the class-size reduction program be eliminated by all school districts not later than the beginning of the 2011-2012 school year, unless a school district does not have sufficient financial resources to provide the classroom space required for the elimination of team-teaching.
- Encourages the Board of Trustees of each school district to request that the residents of the county in which the school district is located to support bonds for the construction of additional classrooms necessary for the elimination of team-teaching if there is sufficient debt service rate that is remaining within the applicable statutory cap and the school district has first met the needs related to the increase in the enrollment of pupils within the school district and the needs for school renovation.
- The Act became effective upon passage and approval by the Governor on June 10, 2005.

Assembly Bill 526 (continued)

State Board/Department of Education Action Required

Information regarding the variance request requirements will be included in the class-size information packet provided to all school districts by the Department of Education no later than September 1, 2005.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102

Assembly Bill 575 Makes appropriations to State Distributive School Account for class-size reduction

Summary of Statute Changes

- Stipulates that available money is estimated to provide a sufficient number of teachers, during the biennium, to achieve in each school district pupil-teacher ratios of 16 pupils per teacher in selected kindergarten classrooms in which pupils are most at risk of failure and in grades 1 and 2, and to achieve a pupil-teacher ratio in grade 3 of 19 pupils per teacher.
- Allocates funding to continue the class-size reduction program during the biennium. For fiscal year 2006, an amount equal to \$125,552,187 was appropriated to pay the salaries and benefits of not less than 2,107 teachers and \$137,922,619 for fiscal year 2007 to pay the salaries and benefits of not less than 2,197 teachers.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Information regarding the distribution of class-size funding will be provided to all school districts by the Department of Education no later than September 1, 2005.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102

Assembly Bill 580 - Makes various changes relating to public administration

Summary of Statute Changes

School District Review of Financial Management Principles

- Requires each school district to undergo a review every 6 years to determine whether the school districts are carrying out certain financial management principles. The reviews must be conducted in even-numbered years to the extent that money is made available by the Legislature. (Section 30)
- Requires the Legislative Auditor to submit a written list to the Legislature identifying each school district that is recommended for review in the next even-numbered year. (Section 30)
- Requires the Legislative Auditor to issue a request for proposals, on or before September 1, for a qualified, independent consultant to conduct a review of each school district selected for a review. (Section 30)
- Requires the Legislative Auditor to review the proposals of applicants and prepare a list of those applicants that are the most qualified with a ranking provided for each applicant. The list and rankings of qualified applicants must be provided to the State Board of Education on or before November 15. (Section 30)
- Requires the State Board to select a consultant from the list submitted by the Legislative Auditor on or before January 1 of the even-numbered year in which the review will be conducted.

Assembly Bill 580 (continued)

- Specifies that the selected consultant shall commence the review of each school district selected for a review not later than February 1. (Section 30)
- Specifies that the State Board is responsible for monitoring the performance of the consultant and authorizing payments to the consultant. (Section 30)
- Requires that if a school district is selected for a review, the Board of Trustees of the school district shall conduct a self-assessment at least 60 days before the commencement of the review by the

consultant. The results of the self-assessment must be submitted to the Department for transmission to the consultant not later than the date on which the review is commenced. (Section 30)

- Requires that if a school district is selected for a review, a 7 member oversight committee must be established to assist the consultant in the process of the review for that school district. (Section 31)
- Specifies that it is the responsibility of the oversight committee to monitor the progress of the consultant in conducting the review including, without limitation, requesting periodic reports from the consultant on the status of the evaluation. (Section 31)
- Requires the consultant selected to perform the review of a school district to hold at least one public meeting in the county in which the school district is located to explain the process of the review and to obtain information from school administrators, teachers, parents and guardians, pupils, members of the business community and other residents of the school district concerning the operation and management of the school district. (Section 33)
- Requires the Department of Education to provide technical support and expertise to the consultant during the review to ensure that the objectives of the review are met. (Section 33)
- Requires the consultant to complete the review of the school district within 6 months after the date on which the review is commenced and to prepare a preliminary written report of the review that is provided to the superintendent of schools of the school district. (Section 34)
- Requires the superintendent of the school district, in consultation with the Board of Trustees, to prepare a written response to the preliminary report within 30 days after receipt of the preliminary report. (Section 34)
- Specifies that if the consultant determines that a school district is successfully carrying out the management principles for each of the areas identified in the bill, the school district is exempt from its' next 6-year review unless the Legislature subsequently determines that the conditions or circumstances occurring within the school district warrant another review. (Section 34)
- Requires the Board of Trustees of the school district to vote on whether to adopt the plan for corrective action no later than 90 days after the issuance of the final written report if such a plan is recommended by the consultant. The superintendent of schools of the school district shall provide written notice of the outcome of the vote to the State Board, the Legislative Auditor and the Legislature. (Section 35)
- Requires that if the Board of Trustees of a school district adopts a plan for corrective action, the board shall prepare, on or before February 1, a written progress report for submission, in the even numbered year and a final written report for submission, in the odd-numbered year after the plan is adopted, to the State Board, the Legislature and the Legislative Auditor. (Section 36)
- Appropriates the sum of \$300,000 for the financial management reviews of the school districts. (Section 38)

Speech Pathologists Salary Increase

- Provides \$533,377 in fiscal year 2006 and \$572,691 in fiscal year 2007 to support a 5 percent increase in salary for licensed speech pathologists employed by school districts. (Section 41)
- Specifies that in order to qualify for the increased salary, a speech pathologist must, on or before November 1, 2005 for the 2005-2006 school year and September 15 in subsequent years thereafter, have submitted evidence satisfactory to the school district of his/her: Licensure as a speech pathologist by the Board of Examiners for Audiology and Speech Pathology; and Certification as being clinically competent in speech language pathology by the American Speech-Language-Hearing Association or a successor organization. (Sections 39 and 40)

Assembly Bill 580 (continued)

Public Broadcasting

- Appropriates to the Department of Education for fiscal year 2006-2007 the sum of \$300,000 for the support of nonprofit public broadcasting stations in Nevada whose programs are devoted primarily to serving the educational, informational and cultural needs of Nevada. (Section 56)

Portable Classrooms for Full Day Kindergarten

- Appropriates to the Department of Education the sums of \$4,745,500 and \$2,650,000 for the purchase of portable classrooms in the 2005-2006 school year for the provision of full-day kindergarten to begin in the 2006-2007 school year. The Clark County School District is not eligible to receive a distribution of money from this fund. (Sections 57, 58 and 59)

Pilot Programs to Teach the English Language

- Appropriates to the Department of Education the sum of \$175,000 for distribution to school districts that establish pilot programs to teach the English language to children who have limited proficiency in the English language during the summer before they attend kindergarten. (Section 62)
- Requires the Department of Education to: prescribe the form for an application; the criteria for selection; and a uniform method of evaluation to establish a pilot program to teach the English language to children who have limited proficiency in the English language during the summer before they attend kindergarten. (Section 63)
- Requires a school district that wishes to establish a pilot program to submit to the Department of Education an application on or before October 1, 2005, to include a plan for the pilot program and proof that the school district has obtained matching money from a private source to combine with the money provided by the Department to carry out the pilot program. (Section 63)
- Requires the Department to provide grants of money to carry out the pilot program, on or before December 1, 2005, for approved applications as follows: Clark County School District, \$100,000; Washoe County School District, \$50,000; any remaining amount of money is to be distributed to the other school districts who have approved applications. (Section 63)
- A school district that receives a grant of money shall use the money to carry out the approved pilot program before the beginning of the 2006-2007 school year. (Section 63)
- Requires that a school district that establishes a pilot program to submit an evaluation of the pilot program on or before November 1, 2006, to the Department of Education in a format required by the Department. (Section 63)
- Requires that on or before February 1, 2007, the Department of Education shall submit a report to the Director of the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature. (Section 63)

Alternative Programs for Disruptive Pupils

- Appropriates to the Department of Education the sum of \$500,000 for each fiscal year of the biennium (\$1,000,000 total) for pilot programs for alternative programs of education for disruptive pupils. (Section 64)
- Requires the Superintendent of Public Instruction to prescribe the form for an application to establish a pilot program and the criteria for the selection of schools. (Section 65)
- Specifies that any public school in this State may submit an application to the Department of Education to participate in the pilot program. (Section 65)
- Specifies that on or before October 1, 2006, the schools that establish a pilot program during the 2005-2006 school year shall submit a report to the Department of Education for the period ending September 1, 2006. (Section 65)
- Allows the Department of Education to spend not more than \$10,000 of the amount appropriated during the Fiscal Years 2005-2007 to hire a contractor to assist with an evaluation regarding the analysis of data from schools that did not establish pilot programs with funding from this Act but have established alternative programs of education for disruptive pupils on their own. (Section 65)

Assembly Bill 580 (continued)

- Requires the Department of Education, on or before December 1, 2006, to submit a preliminary report of its findings to the Legislative Committee on Education and on or before February 1, 2007, a final report of its findings to the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature. (Section 65)

Program of Performance Pay and Enhanced Compensation for Licensed Personnel

- Appropriates to the Department of Education the sum of \$5,000,000 for each fiscal year of the biennium (\$10,000,000 total) for grants of money to school districts that adopt a program of performance pay and enhanced compensation for the recruitment, retention and mentoring of licensed personnel. (Section 69)
- Specifies that to receive a grant of money, the Board of Trustees of a school district may submit an application to the Department of Education that sets forth a program of performance pay and enhanced compensation for the recruitment, retention and mentoring of licensed personnel adopted by the school district and negotiated pursuant to chapter 288 of NRS. (Section 69)
- Requires the Department of Education, in consultation with representatives of the Nevada Association of School Superintendents and the Nevada Association of School Boards, to develop a formula on or before July 1, 2005 for identifying at-risk schools for purposes of the program. (Section 69)
- Specifies that the components of a program of performance pay and enhanced compensation for the recruitment, retention and mentoring of licensed personnel may include: Skills-based pay; A “career ladder” program; A program for the mentoring of teachers; a Market-based pay, pursuant to which one-time bonuses are paid to retain licensed employees; The payment of signing bonuses and other financial incentives for licensed employees; The payment of bonuses to licensed employees based upon the attainment of specified standards of achievement by pupils; the payment to licensed employees of the cost of purchasing retirement service pursuant to subsection 2 of NRS 286.300 or the payment of equivalent financial incentives. (Section 69)
- Requires the Board of Trustees of each school district that receives a grant of money to evaluate the effectiveness of the program. On or before February 1, 2007, the Board of Trustees shall submit a report of its evaluation and any recommendations to the: State Board of Education; Department of Education; Legislative Committee on Education; and Director of the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature. (Section 69)

Release of High School Proficiency Examinations

- Requires the Department of Education to release one form of the mathematics portion of the high school proficiency examination on or before September 1, 2005 and to release one form of the reading portion of the high school proficiency examination on or before May 1, 2006. (Section 73)
- Specifies that each form of the high school proficiency examination that is released must be obtained from a current version of the high school proficiency examination that was administered to pupils enrolled in public schools who are scheduled to graduate in the spring semester of 2006. (Section 73)
- Requires the Department to provide for the public dissemination of the examinations that are released by: Posting a copy of the examinations on the Internet website maintained by the Department; Providing copies of the examinations to the Board of Trustees of each school district and the governing body of each charter school; Providing notice of the availability of the released examinations to at least one newspaper in each county of this State that is of general circulation in that county; and Providing copies of the released examinations upon request. (Section 73)
- Appropriates to the Department of Education the sums of \$161,500 for the mathematics portion and \$185,000 for the reading portion for the development of examinations to replace the examinations that are released. (Section 74)

Assembly Bill 580 (continued)

Career and Technical Education Programs

- Appropriates to the Department of Education the sum of \$1,000,000 for each fiscal year of the biennium (\$2,000,000 total) to establish advisory technical skills committees and to provide for the support of career and technical education programs. (Section 82)
- Specifies that the Department shall provide grants of money to establish, maintain, and expand programs of career and technical education from the funds made available. (Section 82)
- Requires the Department of Education to: Develop an application form for the career and technical education grants; Establish criteria; Make determinations regarding the grants of money based upon

recommendations of the advisory technical skills committee established by the school district or charter school; and Allocate the money to school districts and charter schools based upon the total unduplicated enrollment of pupils in all career and technical education classes in that school district or charter school during the immediately preceding school year. (Section 82)

- Allows the Department to establish a minimum allocation for career and technical programs to a school district located in a county whose population is less than 50,000. (Section 82)
- Sections 27 to 38, inclusive, of the Act became effective upon passage and approval by the Governor on June 17, 2005. Section 69 of this act became effective upon passage and approval for the purpose of developing a formula defining at-risk schools and on July 1, 2005, for all other purposes. The remaining sections of the Act become effective on July 1, 2005.

State Board/Department of Education Action Required

- Department of Education staff will meet with the Legislative Auditor to outline a plan of action to carry out the requirements of the school district financial principles review no later than July 30, 2005. State Board of Education will need to schedule a meeting to select the contractor for the review prior to January 1, 2005.
- Department staff will prepare an informational packet to be sent to all school districts and charters schools regarding the qualifications for and distribution of the funding for speech pathologists by September 1, 2005.
- Department staff will prepare a preliminary list of all elementary schools that are eligible for the full day kindergarten program and provide to school districts and charter schools by September 1, 2005. School districts and charter schools will provide the Department with number of portable classrooms needed for the eligible schools no later than October 30, 2005. A final list of the schools that will be allocated funding for portable classrooms will be made by the Department on or before January 1, 2006 based on the latest free and reduced lunch counts for the 2006 school year. Funding for the portable classrooms to be allocated by the Department no later than January 15, 2006.
- Department staff to develop application for pilot programs to teach the English language by August 15, 2005. Applications for the pilot program must be received by October 1, 2005 from all interested school districts. Department to approve applications and provide funding for selected school districts by December 1, 2005. Department will collect program evaluations from school districts no later than November 1, 2006.
- Department staff to develop application for alternative programs for disruptive pupils by August 15, 2005. Applications for the program must be received by October 1, 2005 from all interested school districts and charter schools. Department to approve applications and provide funding for selected school districts by October 31, 2005. Department will collect preliminary program reports from school districts no later than September 1, 2006 and provide a compiled report to the Legislature by February 1, 2007.
- Department staff to develop application guidelines for licensed personnel compensation programs by August 15, 2005. Applications for program funding must be received by October 31, 2005 from all interested school districts and charter schools. Department to approved applications and provide funding for selected school districts by November 30, 2005. Department will collect program evaluation reports from school districts no later than February 1, 2007.

Assembly Bill 580 (continued)

- Department staff to develop application for Career and Technical Education programs by August 15, 2005. Applications for the program to be received by October 1, 2005 from school districts and charter schools. Department to approve applications and provide funding for selected school districts by October 31, 2005. Department will collect preliminary program reports from school districts and charter schools regarding use and effectiveness of the funds by December 30, 2006.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102 (Financial Review and Portable Classroom Provisions)

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140 (English as Second Language and Disruptive Pupil Provisions)
Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174 (Speech Pathologists Provisions and Public Broadcasting)
Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224 (Licensed Personnel Provisions)
Phyllis Dryden, Director of the Office of Career, Technical & Adult Education, Telephone Number: (775) 687-9144 (Career and Technical Education Provisions)

Assembly Concurrent Resolution Urging school districts in Nevada to participate in the federally funded School Breakfast Program.

Summary of Resolution

The Nevada Legislature strongly encourages the school districts in this State to: Offer school breakfast in every school in Nevada that has a population of over 100 students; and Increase the number of students participating in the School Breakfast Program by 15 percent by the end of the year 2005 and by another 15 percent by the end of the year 2006 so that the statewide participation would effectively become 40 percent of those students who are qualified for free and reduced-price breakfasts.

The resolution requests that each school district provide a written, detailed progress report to the Assembly Committee on Education, the Senate Committee on Human Resources and Education, the Assembly Ways and Means Committee and the Senate Finance Committee at the start of the next Legislative Session so that each committee can be assured that no child is being denied the entitlement to a nutritious breakfast at school.

State Board/Department of Education Action Required

Department of Education staff shall inform each school district of the resolution and collect any written progress reports developed by school districts for review.

Primary Department Contact

Donnell Barton, Office of Nutrition and School Health, Telephone Number: (775) 687-7284

Assembly Concurrent Resolution 10 –Directing the Legislative Commission to conduct an interim study on the adequacy of the system of school finance in Nevada.

Summary of Resolution

Legislative Commission to appoint a committee to conduct an interim study of the adequacy of the system of school finance in Nevada. Specifies that the study must include, without limitation: an analysis of the Nevada Plan for Schools; a comprehensive analysis of the costs of providing adequate educational opportunities to all pupils enrolled in public schools in this State; a determination of whether Nevada's system of financing public schools is calibrated to the needs and educational goals of pupils in this State; and an analysis of methods of school finance that ensure an effective public school system.

Assembly Concurrent Resolution 10 (Continued)

The study will give primary consideration to the following factors: the resources and services required to provide a meaningful public education to pupils who are limited English proficient, pupils who are at risk based upon eligibility for free or reduced-price lunches and pupils who are enrolled in programs of special education; the implications of the size and location of the public schools in this State; the costs of providing comparable educational opportunities to pupils who are enrolled in public schools in rural or remote portions of this State with those pupils who are enrolled in public schools in larger, urban school districts; the costs of providing specific educational programs, including, without limitation, career and technical education programs; the costs for the construction, operation and maintenance of school buildings and other capital facilities of a school district; the costs of inflation; and any other factors

deemed necessary for review and analysis by the interim committee or the consultant. Specifies that the Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the 74th Session of the Nevada Legislature.

State Board/Department of Education Action Required

Department of Education staff shall inform each school district of the resolution.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102

SENATE BILLS AND RESOLUTIONS

Senate Bill 22 – Makes various changes concerning certain programs and services for persons with disabilities.

Summary of Statute Changes

- Creates an Interagency Advisory Board on Transition Services within the Office of Disability Services to study and report on services for persons with disabilities who are transitioning from secondary school to adult living.
- Includes in the membership of the Interagency Advisory Board on Transition Services: the Superintendent of Public Instruction or his designee; a representative of a program of education, including, without limitation, a program of special or vocational education, in a school district in a county whose population is 400,000 or more; a representative of a program of education, including, without limitation, a program of special or vocational education in a school district in a county whose population is 100,000 or more but less than 400,000; and a representative of a program of education, including, without limitation, a program of special or vocational education, in a school district in a county whose population is less than 100,000.
- Specifies that the school district representatives on the Advisory Board are to be appointed by the Governor from a list of persons provided by the superintendents of schools in such counties.
- Specifies that the Advisory Board may study and comment on issues related to transition services for persons with disabilities in this State which are detailed in Section 11 of the bill.
- The Sections of the bill described in this summary became effective upon passage and approval by the Governor on June 13, 2005 and expire by limitation on June 30, 2013.

State Board/Department of Education Action Required

No plan of action to be developed. District information only.

Primary Department Contact

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

Senate Bill 56 Makes various changes concerning charter schools and distance education programs

Summary of Statute Changes

- Requires the Boards of Trustees of each school district to include information required in the annual report of accountability for each charter school that is located within the school district regardless of the sponsor of the charter school. Any aggregate information in the report shall include charter schools that are sponsored by the school district but not the charter schools sponsored by the State Board.

- Specifies that school districts are to denote separately in the annual report of accountability those charter schools that are located within the school district and sponsored by the State Board.
- Expands the required information to be included in the annual reports of accountability to include the number of persons employed as long term substitute teachers (20 consecutive days or more in the same classroom or assignment) including the number of days of employment, grade level and subject area if applicable beginning on or after July 1, 2005.
- Expands the required information to be included in the annual reports of accountability to include the number of persons employed as short term substitute teachers (less than 20 consecutive days in the same classroom or assignment) including the total number of days of employment at each school, grade level and subject area if applicable beginning on or after July 1, 2006.
- Requires the Boards of Trustees of each school district to provide written notice to the Governor, the State Board of Education, the Department of Education, the Legislative Committee on Education, and the Legislative Counsel Bureau, that an electronic copy of the annual report of accountability is available on the website maintained by the school district on or before August 15 of each year.
- Requires each applicant for employment in a position with a charter school, that does not require a license issued by the Superintendent of Public Instruction, to submit to the governing body of the charter school a complete set of his fingerprints and written permission authorizing the forwarding of the fingerprints to the Central Repository for Nevada Records of Criminal History and to the Federal Bureau of Investigation as a condition to employment.
- Specifies that if a report on the criminal history indicates that the applicant has been convicted of a felony or an offense involving moral turpitude and the governing body of the charter school does not disqualify the applicant from further consideration of employment, the governing body must, upon the written authorization of the applicant, forward a copy of the report to the Superintendent of Public Instruction. If the applicant refuses to provide his written authorization to forward a copy of the report, the charter school shall not employ the applicant.
- Requires the Superintendent of Public Instruction to review the criminal history report of an applicant for employment with a charter school if that applicant has been convicted of a felony or an offense involving moral turpitude.
- If the Superintendent of Public Instruction or his designee determines that the conviction of the applicant is unrelated to the position with the charter school for which the applicant has applied, the governing body of the charter school may employ the applicant for that position.
- Requires a charter school that is dedicated to providing education to at-risk pupils to submit an annual report to the sponsor of the charter school.
- Amends existing law to allow an applicant to submit an application for sponsorship directly to the State Board, regardless of whether the charter school will offer enrollment exclusively for pupils who receive special education and regardless of whether the application has been previously denied by a school district.
- Specifies that if the State Board sponsors a charter school, the State Board or the Department of Education is responsible for the evaluation, monitoring and oversight of the charter school.
- Amends existing law to require the Board of Trustees of a school district or the State Board's Subcommittee on Charter Schools to hold a meeting to consider an application to form a charter school within 45 days after the application is received.

Senate Bill 56 (continued)

- Clarifies that when an application to expand instruction or educational services for a charter school is approved, the charter school may continue to operate under the same governing body and is not required to form an additional governing body.
- Makes various changes relating to the revocation of the charter of a charter school, including time periods for notices of hearings and correction of deficiencies concerning the charter school.
- Requires the Department of Education to provide appropriate information, education and training for charter schools and the governing bodies of the charter schools concerning statutes and regulations relating to education.

- Specifies that if the State Board is the sponsor of a charter school, the amount of money that may be paid to the Department for administrative expenses in a school year must not exceed: For the first year of operation of the charter school, 2 percent of the total amount of money apportioned to the charter school during the year; and for any year after the first year of operation, 1.5 percent of the total amount of money apportioned to the charter school during the year.
- Specifies that if a charter school is sponsored by the Board of Trustees of a school district located in a county whose population is 100,000 or more, except for a program of distance education provided by the charter school, the charter school shall enroll pupils who reside in the school district in which the charter school is located before enrolling pupils who reside outside the school district.
- Specifies that if space is available after the charter school enrolls pupils who reside in the county, the charter school may enroll children who reside outside the school district but within 2 miles of the charter school if the charter school is located within an area that the sponsor determines includes a high percentage of children who are at risk.
- Expands existing law to allow core academic courses offered through a program of distance education to be taught by a teacher, instructor or professor who provides instruction at a community college or university. Such a teacher, instructor or professor may only be assigned to a course of distance education in the subject area for which he provides instruction at a community college or university.
- Amends existing law to limit year a leave of absence from employment with the Board of Trustees of a school district to work at a charter school to 3 years.
- The existing law that limits the number of charter schools that may be formed within a school district expires by limitation on June 30, 2006.
- Act becomes effective July 1, 2005.

State Board/Department of Education Action Required

Nevada Administrative Code regarding Charter Schools will be reviewed and revised, as needed, to address the statutory changes made by this bill. The State Board of Education will adopt any needed regulation changes no later than December 30, 2005. Department of Education staff will revise the application packet developed for charter schools to include the changes made by this bill and any regulations adopted by the State Board.

Primary Department Contact

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174

Senate Bill 134 – Requires providers of Communication Access Realtime Translation to be qualified and makes various changes related to practice of interpreting.

Summary of Statute Changes

- Existing law provides that a person may engage in the practice of interpreting in a public school or private school for not more than 3 years without satisfying all requirements for certification. This bill extends the effective date for the application of penalties until July 1, 2007, to a person who is currently engaged in the practice of interpreting in a public school or private school pursuant to the 3-year waiver if the person makes satisfactory and deliberate progress toward complying with the certification requirements.

- The Section of the bill described in this summary became effective upon passage and approval by the Governor on June 6, 2005.

State Board/Department of Education Action Required

School Districts, charter schools and private schools will be notified prior to August 15, 2005 regarding the extended timeline for school based interpreters to become fully certified.

Primary Department Contact

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

Senate Bill 197 Provides for establishment of State Program for Fitness and Wellness and Advisory Council on State Program for Fitness and Wellness.

Summary of Statute Changes

- Directs the Health Division of the Department of Human Resources, within the limits of available funding, to establish a State Program for Fitness and Wellness to increase public knowledge and awareness relating to physical fitness and wellness and to educate the public concerning physical fitness, proper nutrition, and the prevention of obesity, chronic diseases and other diseases.
- The Health Division must also establish, within the limits of available funding, an Advisory Council on the State Program for Fitness and Wellness.
- Includes in the membership of the Advisory Council on the State Program for Fitness and Wellness the Superintendent of Public Instruction or his designee.
- Specifies, as part of the responsibilities of the Advisory Council, the need to identify and review, in coordination with the Department of Education, existing programs related to nutrition and physical fitness, including, without limitation, programs of state and local governments, educational institutions, businesses and the general public.
- Specifies, as part of the responsibilities of the Advisory Council, the need to develop and coordinate, in cooperation with the Department of Education, recommendations for model programs to encourage proper nutrition, physical fitness and health in the schools of this State, including, without limitation, physical fitness testing which can be administered through the schools.
- Act becomes effective July 1, 2005.

State Board/Department of Education Action Required

Department of Education staff will provide regular updates, as available, to school districts and charter schools regarding any recommendations made by the Advisory Council that relate to nutrition and the physical fitness of pupils within our public schools.

Primary Department Contact

Donnell Barton, Office of Nutrition and School Health, Telephone Number: (775) 687-7284

Senate Bill 202 - Revises manner in which school districts schedule contingent school days.

Summary of Statute Changes

- This bill amends existing law to provide a school district with various methods for scheduling the required 3 contingent school days if a natural disaster, inclement weather or an accident necessitates the closing of a majority of the facilities within the school district.
- Specifies that a school district may schedule the 3 required contingent school days as: full school days; an equivalent number of minutes of instruction added to any school day; or any combination of school days and minutes of instruction as long as the total minutes of instruction equal at least 3 school days.

- Requires that if minutes of instruction are added to a school day, at least 30 minutes must be added to the school day.
- This act became effective upon passage and approval by the Governor on May 12, 2005.

State Board/Department of Education Action Required

Department staff will review regulations to determine if any clarifications need to be made based on changes to the statute. District information only at this time.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Senate Bill 214 - Revises provisions governing statewide system of accountability and revises other provisions governing education.

Summary of Statute Changes

- Requires the Department of Education, on or before December 1, 2005, to submit to the Legislative Committee on Education a written report that sets forth a proposed monitoring system for the statewide system of accountability.
- Requires the Department of Education, on or before July 1, 2006, to adopt a final version of the monitoring system to be carried out beginning with the 2006-2007 school year.
- Requires the monitoring system to: include a common formula that provides a comparison and analysis of the results of pupils on the criterion referenced examinations and the norm referenced examinations, identified by grade, school and school district; identify any inconsistencies of the results of the criterion referenced examinations compared with the results of the norm referenced examinations; identify significant levels of achievement of pupils on the criterion referenced examinations and the high school proficiency examination, identified by school and by school district; and include procedures for investigating, and if necessary, auditing any inconsistencies identified by the comparisons.
- Requires the Department of Education to prepare, on or before October 1 of each year, a written summary of the findings resulting from the monitoring system requirements on examinations. The written summary must be provided to the Legislative Committee on Education and if the findings are applicable to a particular school district, provide a copy to the Board of Trustees of that school district.
- Requires the Superintendent of Public Instruction to distribute a memorandum, no later than July 1 of each year, to the governing body of each charter school as well as the Board of Trustees each school district that summarizes all newly enacted legislation including legislation enacted during special sessions of the Legislature that affects the public schools and pupils of this state.
- Requires the governing body of a charter school, not later than 60 days after receipt of a Superintendent's memorandum, to determine which statutes and bills described in the memorandum directly affect pupils, parents, teachers, administrators or other educational personnel of the charter school and requires a plan for implementation.

Senate Bill 214 (continued)

- Requires the governing body of a charter school and the boards of trustees to distribute to the parents and legal guardians of pupils who are enrolled in the schools, and to all teachers, administrators and other educational personnel who are employed by the charter school or school district, written notice of the information contained in the Superintendent's memorandum that directly affects pupils, parents, teachers, administrators or other educational personnel of the charter school or school district.
- Expands existing law regarding the required state, district and school improvement plans to include information on strategies to instruct pupils who are not achieving to their fullest potential.

- Expands existing law regarding the required state, district and school improvement plan to include, without limitation, a budget for the overall cost of carrying out the plan.
- Requires the Department of Education to prepare a written report describing any discrepancy between the standards for proficiency established for the National Assessment of Educational Progress with the standards for proficiency established for the criterion referenced examinations and the high school proficiency examination for Nevada if the percentage of pupils enrolled in the public schools in this State who are proficient on the National Assessment differs by more than 10 percent of the pupils who are proficient on the state examinations.
- The report prepared by the Department regarding discrepancies identified above must be submitted to the: Governor; Legislative Committee on Education; Legislative Bureau of Educational Accountability and Program Evaluation; and Council to Establish Academic Standards for Public Schools.
- Requires the Council to Establish Academic Standards for Public Schools to review and evaluate the written report prepared by the Department to identify any discrepancies in the standards of content and performance established by the Council that require revision and a timeline for carrying out the revision, if necessary. The Council shall submit a written report of its review and evaluation to the Legislative Committee on Education and Legislative Bureau of Educational Accountability and Program Evaluation.
- Requires the governing body of each regional training program to employ or otherwise contract with a coordinator for the program and to establish his compensation.
- Requires the Department of Education to prescribe a form for an educational involvement accord that complies with the parental involvement policy adopted by the State Board for use in all public schools in this State.
- Requires the Board of Trustees of each school district to adopt a policy providing for the development and distribution of the educational involvement accord. The policy adopted by a Board of Trustees must require each classroom teacher to distribute the educational involvement accord to the parent or legal guardian of each pupil in his/her class at the beginning of each school year or upon a pupil's enrollment in the class, as applicable and provide the parent or legal guardian with a reasonable opportunity to sign the educational involvement accord.
- Requires the Department of Education to prescribe a code of honor relating to cheating on examinations and course work.
- The Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Department of Education will develop the required monitoring system for accountability by the deadlines established in the bill to be carried out beginning with the 2006-2007 school year. All Charters schools will be provided a letter, by July 1, 2005, that specifies the requirements of the bill relating to the distribution of newly enacted legislation and the distribution of the information to parents and students. The form that prescribes the educational involvement accord will be developed by the Department of Education by September 30, 2005 and distributed to all school districts and charter schools. The code of honor relating to cheating on examinations and coursework will be developed by Department of Education staff on or before October 31, 2005.

Senate Bill 214 (continued)

Primary Department Contact

Paul LaMarca, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186 (Assessment Monitoring System Provisions)

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217 (Legislative Memorandum, Academic Standards Council Provisions)

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174 (Charter School Provisions)

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140 (Parent Involvement Policy Provisions)

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224 (Code of Honor Provisions)

Senate Bill 221 – Revises provisions governing interscholastic activities.

Summary of Statute Changes

- Allows homeschooled children to participate in interscholastic activities and events in addition to those that are governed by the association that is currently formed for high school athletics.
- Specifies that a homeschooled child who participates in interscholastic activities and events at a public school must participate within the school district of the child's residence through the public school which the child is otherwise zoned to attend.
- Specifies that any rules or regulations that apply to pupils enrolled in public schools who participate in interscholastic activities and events apply in the same manner to homeschooled children.
- Specifies that if a homeschooled child participates in interscholastic activities and events, no challenge may be brought claiming that an interscholastic activity or event is invalid because the homeschooled child is allowed to participate.
- Specifies that neither the school district or a public school may prescribe any regulations, rules, policies, procedures or requirements governing the eligibility or participation of the homeschooled child that are more restrictive than the provisions governing the eligibility and participation of pupils enrolled in public schools.
- Act became effective upon passage and approval by the Governor on June 17, 2005.

State Board/Department of Education Action Required

Department of Education to notify all school districts of the change to statutes regarding the participation of homeschooled students in interscholastic activities and events by July 1, 2005. School districts will need to review current policy to determine if changes need to be made as a result of this legislation.

Primary Department Contact

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174

Senate Bill 267 – Makes various changes regarding Open Meeting Law.

Summary of Statute Changes

- Prohibits a public body from holding a closed meeting to consider the character, alleged misconduct or professional competence of a person who is an appointed public officer or who serves at the pleasure of a public body as a chief executive or administrative officer or in a comparable position, including, without limitation, a president of a university or community college within the University and Community College System of Nevada, a superintendent of a county school district, a county manager and a city manager.

Senate Bill 267 (Continued)

- Stipulates that the prohibition from holding a closed meeting to consider the character, alleged misconduct or professional competence of a person who is an appointed public officer or who serves at the pleasure of a public body does not apply if the consideration of the character, alleged misconduct or professional competence of the person does not pertain to his role as an elected member of a public body or an appointed public officer or other officer.
- Specifies that if a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, each person to whom notice is required to be given must be allowed to: attend the closed meeting or that portion of the closed meeting during which his character, alleged misconduct, professional competence, or physical or mental health is considered; have an attorney or other representative of his choosing present with him during the closed meeting; and present written evidence, provide

testimony and present witnesses relating to his character, alleged misconduct, professional competence, or physical or mental health to the public body during the closed meeting.

- Stipulates that the chairman of the public body may at any time before or during a closed meeting determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof or allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.
- This Act becomes effective October 1, 2005

State Board/Department of Education Action Required

School Boards of Trustees should review current policy regarding meeting notices involving closed sessions with the school district superintendent to insure that the bill requirements are being followed.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Senate Bill 271 - Makes various changes concerning participants in program to assist victims of certain crime in maintaining confidential addresses.

Summary of Statute Changes

- Allows a pupil who is a participant in the fictitious address program or whose parent or guardian is a participant in that program to attend any public school in this State including a public school that is located outside the zone of attendance or a public school that is located in a school district other than the school district in which the pupil resides.
- Requires the Secretary of State, upon request of the public school that the pupil is attending or wishes to attend, to inform the public school whether the pupil is a participant in the program. The Secretary of State shall not provide any other information concerning the pupil or the parent or legal guardian of the pupil to the public school.
- Specifies that if a pupil who is a participant in the fictitious address program attends a public school that is located in a school district other than the school district in which the pupil resides, neither the Board of Trustees of the school district in which the pupil attends school nor the Board of Trustees of the school district in which the pupil resides is required to provide transportation for the pupil to attend the public school.
- Act became effective upon passage and approval by the Governor on June 17, 2005.

State Board/Department of Education Action Required

No plan of action to be developed. School District information only.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224

Senate Bill 286 - Encourages Clark County School District to construct career and technical high school within certain area of Clark County

Summary of Statute Changes

- The bill encourages the Clark County School District to construct a career and technical high school within the Southern Nevada Enterprise Community and, to the extent feasible, to complete the career and technical high school by August 2008.
- Act became effective upon passage and approval by the Governor on August 12, 2005.

State Board/Department of Education Action Required

Applies to Clark County School District only. No plan of action to be developed.

Primary Department Contact

Keith Rheault, Superintendent, Telephone Number: (775) 687-9217

Senate Bill 347 - Makes various changes concerning personal identifying information.

Summary of Statute Changes

- Expands the definition of “personal identifying information” to include, but not limited to: The current or former name, driver’s license number, identification card number, social security number, checking account number, savings account number, credit card number, debit card number, financial services account number, date of birth, place of employment and maiden name of the mother of a person; the electronic signature, unique electronic identification number, address or routing code, telecommunication identifying information or access device of a person; the personal identification number or password of a person; the alien registration number, government passport number, employer identification number, taxpayer identification number, Medicaid account number, food stamp account number, medical identification number or health insurance identification number of a person; the number of any professional, occupational, recreational or governmental license, certificate, permit or membership of a person.
- Specifies that if a public body maintains a website on the Internet, the public body shall not disclose on that website personal information unless the disclosure is required by a federal or state statute or regulation.
- The bill amends many other sections relating to personal identifying information that have not been included in this summary. Only changes to statute that directly could affect school districts have been included in this summary.
- This Sections of the Act included in this summary become effective on October 1, 2005.

State Board/Department of Education Action Required

Boards of Trustees should review current policy regarding personal identifying information as well as information available on the school district website to insure that the bill requirements regarding personal identifying information are being adhered to.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Senate Bill 365 – Establishes and encourages use of certain systems and programs relating to public safety.

Summary of Statute Changes

- Requires the Nevada Commission on Homeland Security, to the extent money is made available and after consultation with the State Public Works Board, to establish a statewide mapping system for the public buildings (which would include public school buildings) in this State for use by response agencies that are called to respond to an act of terrorism or related emergency.
- Requires state agencies and political subdivisions (which would include school districts) to participate in the statewide mapping system, to the extent money is made available, and to incorporate into their use of the system: evacuation routes and strategies for evacuation; alarms and other signals or means of notification; plans for sheltering in place; and training and strategies for prevention in connection with attacks involving violence.

- Specifies that if a state agency or a political subdivision uses its own building mapping system before the Commission establishes a statewide mapping system, the state agency or political subdivision may continue to use its system unless money is made available for the state agency or political subdivision to update or modify its system as necessary for inclusion in the statewide system.
- This act becomes effective on July 1, 2005, and expires by limitation on October 1, 2009.

State Board/Department of Education Action Required

No plan of action to be developed. District information only at this time until funding is secured by the Nevada Commission on Homeland Security to carry out the requirements of the Act.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224

Senate Bill 367- Revises provisions governing education of suspended and expelled pupils.

Summary of Statute Changes

- Provides that a pupil who is suspended or expelled from a public school may enroll in a program of independent study or in a program of distance education offered by a school district or a charter school.
- Clarifies that a pupil who is suspended or expelled from school is not prohibited from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if he/she is accepted for enrollment by the charter school.
- Requires that upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to his suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Department of Education to notify all school districts and charter schools of the change to statutes regarding the participation of suspended or expelled students in a program of independent study or in a program of distance education by July 1, 2005. Although the requirements of the bill are not mandatory, school districts and charter schools who choose to enroll suspended or expelled pupils should review current policy to determine if changes need to be made as a result of this legislation.

Primary Department Contact

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

Senate Bill 368 - Revises provisions regarding professional development of teachers and administrators.

Summary of Statute Changes

- Amends existing state, school district and individual school improvement plan requirements to include strategies for the professional development of teachers and administrators that directly address the specific needs of the pupils enrolled in public schools in this State.
- Specifies that if a day or days for the professional development of teachers or administrators is/are scheduled by a school district, the primary focus of that scheduled professional development must be to improve the achievement of the pupils enrolled in the school district, as set forth in the school district or individual school improvement plan.
- Requires the scheduled professional development to be structured so that teachers attend professional development that is designed for the specific subject areas or grades taught by those teachers.

- Requires the governing body of each regional training program to review the improvement plans prepared by the school districts within the primary jurisdiction of the regional training program and, as deemed necessary by the governing body, review the school improvement plans prepared by individual schools within the primary jurisdiction of the regional training program.
- This act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Department of Education staff will review all requests received by school districts to utilize a day(s) of school for professional development to ensure that the requirements of the Act are being met prior to approving the professional development day(s) in lieu of scheduled class time.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224

Senate Bill 404 - Creates Commission on Educational Excellence.

Summary of Statute Changes

- Creates the Commission on Educational Excellence, consisting of nine members including eight members appointed by the Governor in addition to the Superintendent of Public Instruction who shall serve as an ex officio voting member. Requires the Governor to appoint the members on or before September 1, 2005.
- The eight members of the Commission appointed by the Governor include: three teachers, two of whom have experience in providing instruction at public elementary schools and one who has experience at secondary schools (all three must have been successful in school improvement efforts); two principals (one elementary and one secondary) whom have experience in administering successful school improvement efforts; two school district administrators, one of whom is employed by a school district in a county whose population is less than 100,000 and one of whom is employed by a school district in a county whose population is 100,000 or more; and one parent or legal guardian of a pupil enrolled in a public school in this State.
- Specifies that one or more of the members appointed by the Governor may be retired from employment but those retired members that are appointed must have been employed with a public school in this State in the immediately preceding 5 years.
- Specifies that the Governor may solicit recommendations for appointments from the Nevada State Education Association, the Nevada Association of School Administrators, a statewide organization for parents of pupils, the Statewide Council for the Coordination of the Regional Training Programs and other organizations and entities related to education in this State.

Senate Bill 404 (Continued)

- Specifies that the Governor may consider the recommendations submitted and may make appointments from those recommendations. The Governor shall appoint a Chairman from among the members he appoints.
- Requires the Commission to hold at least four regular meetings each year and allows the Chairman to call special meetings of the Commission.
- Specifies the terms and conditions of membership on the Commission and that the members shall serve without compensation except for per diem and travel expenses when on official Commission business.
- Requires the Department to provide administrative support, equipment, and office space, as is necessary for the Commission to carry out its duties.
- Requires the Commission to provide the Legislative Counsel Bureau with adequate notice of each meeting of the Commission and, as requested, technical expertise and assistance to the Commission.

- Outlines the Commission responsibilities to include the establishment of a program of educational excellence designed exclusively for pupils enrolled in kindergarten through grade 6 in public schools that is based upon the state, school district and individual school improvement plans.
- Requires the Commission to develop a concise application and simple procedures for the submission of applications by school districts and public schools, including charter schools, for participation in and receipt of funds from the Account for Innovation and the Prevention of Remediation programs.
- Specifies that all school districts and public schools, including charter schools, are eligible to submit such an application, regardless of whether the school district or school has made adequate yearly progress or failed to make adequate yearly progress.
- Allows the Commission to approve a school district or public school selected for participation in the program for a period not to exceed 2 years. Allows a school district or public school to reapply for funding, as available.
- Requires the Commission to prescribe a long-range timeline for the review, approval and evaluation of applications received from school districts and public schools that desire to participate in the program.
- Requires the Commission to prescribe accountability measures to be carried out by a school district or public school that participates in the program if that school district or public school does not meet the annual measurable objectives established by the State Board.
- Requires the Commission to determine the amount of money that is available and allocate money from the Account for Innovation and the Prevention of Remediation programs to school districts and public schools that are selected to participate in the program not later than August 15 of each year (timeline does not apply to the 2005-2006 school year).
- Requires Commission to establish criteria for school districts and public schools that participate in the program to evaluate the effectiveness of the allocation on improving the achievement of pupils.
- Specifies that to the extent money is available, the Commission shall make allocations of money to school districts and public schools for effective programs for grades 7 through 12 that are designed to improve the achievement of pupils and effective programs of innovation for pupils.
- Specifies that a school district or public school that receives an allocation of money shall keep a separate accounting of the money, use the money to supplement and not replace the money that would otherwise be expended, and submit an evaluation of the effectiveness of the allocation on improving the achievement of pupils.
- Requires the Commission to prepare an annual report that describes the distribution of money to the school districts and public schools and the programs for which money was allocated to be submitted on or before September 1 of each year (timeline does not apply for the 2005-2006 school year) to the State Board, the Governor; the Legislative Committee on Education, the Legislative Counsel Bureau the Interim Finance Committee; and the Board of Trustees of each school district.

Senate Bill 404 (Continued)

- Requires the Commission to prepare an annual report that describes the activities of the Commission including an analysis of the progress of the school districts and public schools in carrying out the plans to improve the achievement of pupils and an analysis of the progress of the school district and public schools that received an allocation to be submitted on or before January 31 of each year to the State Board, the Governor; the Legislative Committee on Education, the Legislative Counsel Bureau the Interim Finance Committee; and the Board of Trustees of each school district.
- Creates the Account for Programs for Innovation and the Prevention of Remediation in the State General Fund, to be administered by the Superintendent of Public Instruction. The interest and income earned on the money in the Account must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund and the balance in the Account must be carried forward to the next fiscal year.

- Appropriates from the State General Fund to the Account for Programs for Innovation and the Prevention of Remediation the following sums: for Fiscal Year 2005-2006, \$50,000,000; for Fiscal Year 2006-2007, \$28,000,000.
- Specifies that the money appropriated for the program must be used first for kindergarten through grade 6 for the achievement of pupils linked to the plan to improve the achievement of pupils or for innovative programs, or both, and that if money is remaining, school districts and schools may apply for allocations from the remainder of the appropriation for programs for grades 7 through 12.
- Requires the Department of Education to transfer \$6,818,788 in Fiscal year 2005-2006 and \$7,089,336 in Fiscal Year 2006-2007 in funds apportioned for the State Distributive School Account to the Account for Programs for Innovation and the Prevention of Remediation. The sums transferred must be used first for programs in grades 7 through 12 and if money is remaining after allocations for grades 7 through 12 are complete, school districts and public schools may apply for allocations for kindergarten through grade 6 for programs.
- With the exception of the appointment of the Commission members, all other sections of the Act become effective on July 1, 2005.

State Board/Department of Education Action Required

Department of Education staff shall begin compiling information and developing draft materials that can be used by the Commission in the development of the program application and accountability measures to be provided to Commission members upon appointment by the Governor. Department staff will be identified to provide technical assistance and administrative support to the Commission by August 15, 2005.

Primary Department Contact

Keith Rheault, Superintendent, Telephone Number: (775) 687-9217 (Commission Administrative Support)

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224 (Technical Assistance to the Commission)

Senate Bill 460 – Revises provisions governing class-size reduction.

Summary of Statute Changes

- Allows all school districts except Clark and Washoe County school districts, in consultation with the recognized associations representing licensed educational personnel, to develop an alternative plan to reduce the district's pupil-teacher ratios per class for specified grade levels in elementary schools.
- The alternative pupil-teacher ratios must not exceed 22 to 1 in grades 1, 2 and 3; and 25 to 1 in grades 4 and 5 or grades 4, 5 and 6, as applicable. Alternative ratios for grade 6 may only be approved for those school districts that include grade 6 in elementary school.
- Requires the State Board to approve the alternative class size reduction plans submitted by eligible school districts if the plan reduces the district's pupil-teacher ratio in the elementary schools within the school district; and is fiscally neutral such that the plan will not cost more to carry out than a plan that includes a districtwide pupil-teacher ratio in kindergarten and grades 1, 2 and 3 of 15 pupils to 1 teacher.

- This Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

School Districts will be notified no later than July 1, 2005 regarding the option to request an alternative plan to reduce the district's pupil-teacher ratios in elementary schools. Department staff shall develop an application to be submitted by school districts who wish to offer an alternative class size reduction program and provide the application to all eligible school districts no later than July 15, 2005.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102

Senate Bill 461 - Provides for enrollment of certain pupils in university school for profoundly gifted pupils.

Summary of Statute Changes

- Provides a Legislative declaration that there are pupils enrolled in the public middle schools, junior high schools and high schools in this State who are so profoundly gifted that their educational needs are not being met by the schools in which they are enrolled, and by participating in an accelerated program of education, these pupils may obtain early admission to university studies.
- Specifies that it is the intent of the Legislature that participation in such accelerated programs of education for profoundly gifted pupils be open to all qualified applicants, regardless of race, culture, ethnicity or economic means, and that specific criteria for admission into those programs be designed to determine the potential for success of an applicant.
- Defines a "Profoundly gifted pupil" as a person who is under the age of 18 years whose intelligence quotient as determined by an individual administration of the Wechsler or Stanford-Binet Series tests or other test approved by the governing body of the university school for profoundly gifted pupils is at or above the 99.9th percentile; or who scores at or above the 99.9th percentile for his age on an aptitude or achievement test, including, without limitation, the Scholastic Aptitude Test or the American College Test.
- Defines a "University school for profoundly gifted pupils" as a school that: is located on the campus of a university within the University and Community College System of Nevada; is operated through a written agreement with the university; is operated by or is itself a nonprofit corporation that is recognized as exempt; demonstrates at least 5 years of successful experience providing educational services to profoundly gifted youth; provides a full-time alternative program of education for profoundly gifted pupils; and does not charge tuition to pupils enrolled in the school.
- Declares that a university school for profoundly gifted pupils shall be deemed a public school and that the employees of the school are public employees.

Senate Bill 461 (Continued)

- Specifies that a university school for profoundly gifted pupils is not entitled to receive any money from the State.
- Requires that at least 70 percent of the teachers employed by a university school for profoundly gifted pupils must be licensed teachers.
- Requires a university school for profoundly gifted pupils to administer to its' pupils the achievement and proficiency examinations required by the state.
- Requires the Superintendent of Public Instruction to authorize any pupil who is admitted to a university school for profoundly gifted pupils to enroll in that school in lieu of enrolling in the middle school, junior high school or high school that the pupil is otherwise scheduled to attend and to adopt regulations to carry out the provisions of the Act with which each university school for profoundly gifted pupils must comply.
- Specifies that a university school for profoundly gifted pupils shall determine the eligibility of a pupil for admission to the school based upon a comprehensive assessment of the pupil's potential for academic and intellectual achievement at the school.

- Requires a person who wishes to apply for admission to a university school for profoundly gifted pupils to submit to the governing body of the school: a completed application; evidence that he/she possesses advanced intellectual and academic ability; at least three letters of recommendation from teachers or mentors familiar with the academic and intellectual ability of the applicant; and a transcript from each school previously attended by the applicant. The applicant may requested by the governing body of the school to participate in an on-campus interview.
- Requires the Superintendent of Public Instruction to issue a high school diploma to a pupil who is enrolled in a university school for profoundly gifted pupils if that pupil successfully passes the high school proficiency examination and successfully completes any requirements established by the State Board of Education for graduation from high school.
- Requires the governing body of the school, on or before March 1 of each odd-numbered year, to prepare and submit to the Superintendent of Public Instruction, the President of the university where the school is located, the State Board of Education and the Legislative Counsel Bureau a report that contains information regarding the school, including, without limitation, the process used by the school to identify and recruit profoundly gifted pupils from diverse backgrounds and with diverse talents, and data assessing the success of the school in meeting the educational needs of its pupils.
- Specifies the membership and terms of the governing body of the school that consists of nine members and must include the Superintendent of Public Instruction, the president of the university where the school is located, who serve ex-officio members.
- Declares that the governing body of a university school for profoundly gifted pupils is a public body and is given such reasonable and necessary powers, not conflicting with the Constitution and the laws of the State of Nevada, as may be required to attain the ends for which the school is established and to promote the welfare of pupils who are enrolled in the school.
- Requires the governing body of each university school for profoundly gifted pupils to provide, on or before July 1, 2006, a report to the Legislative Committee on Education and a separate report to the Superintendent of Public Instruction, the State Board of Education and the Director of the Legislative Counsel Bureau, on or before February 1, 2007, regarding the status of the school, the progress of the school, the effectiveness of the school in meeting its goals, any recommendations for legislation and any relevant fiscal information.
- This Act becomes effective July 1, 2005.

State Board/Department of Education Action Required

State Superintendent to develop draft regulations governing the university school for profoundly gifted pupils by October 30, 2005 with final adoption by the state board of education by December 30, 2005.

Primary Department Contact

Keith Rheault, Superintendent, Telephone Number: (775) 687-9217

Senate Bill 485 - Temporarily extends prospective expiration of provisions governing allowances paid by Public Employees' Retirement System to certain re-employed retired public employees and continues experience study.

Summary of Statute Changes

- Extends the expiration of the provisions governing allowances paid to retired employees who fill positions for which a critical labor shortage exists until June 30, 2009.
- Requires the Public Employees' Retirement Board to continue an experience study on the Public Employees' Retirement System of the retired employees who fill positions for which a critical labor shortage exists by public employers and to submit a report to the Interim Retirement and Benefits Committee of the Legislature on or before December 31, 2008.
- This Act became effective upon passage and approval by the Governor on June 8, 2005.

State Board/Department of Education Action Required

Department staff will notify all school districts that the current program for retired school employees who fill positions for which a critical labor shortage exists is continuing through June 30, 2009.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

Senate Bill 511 Makes supplemental appropriation to Department of Education for signing bonuses for teachers.

Summary of Statute Changes

- Appropriates from the State General Fund to the Department of Education the sum of \$436,000 to supplement the funds authorized during the 2004-2005 school year to cover the cost of paying the \$2,000 signing bonuses for new teachers hired in excess of the number for which funds were available.
- This Act became effective upon passage and approval by the Governor on June 6, 2005.

State Board/Department of Education Action Required

Funds for the reimbursement of costs for the signing bonuses will be provided to all eligible school districts by July 30, 2005.

Primary Department Contact

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174

Senate Bill 525 - Apportions State Distributive School Account in State General Fund for 2005-2007 biennium.

Summary of Statute Changes

- Provides the basic support guarantee for school districts for Fiscal Year 2005-2006 (FY06) at \$4,486 (estimated weighted average per pupil) and for Fiscal year 2006-2007 (FY07) at \$4,696 per pupil.
- Requires the Director of the Department of Taxation, on or before October 1, 2005, to provide to the Superintendent of Public Instruction the certified total of the ad valorem taxes to be received by each school district for Fiscal Year 2005-2006.

Senate Bill 525 (Continued)

- Requires the Superintendent of Public Instruction, on or before October 15, 2005, to recalculate the ad valorem adjustment and the basic support guarantee amount for each school district for the 2005-2006 Fiscal Year based on the certified total of ad valorem taxes provided by the Director of the Department of Taxation. The basic support guarantee amounts so recalculated for FY06 shall be used for the apportionments to school districts due on or after November 1, 2005.
- Specifies that the ad valorem adjustment used in the recalculation shall provide for any shortfall between the June 6, 2005, ad valorem estimate for the 2005-2006 Fiscal Year of \$570,732,190 and the certified total provided by the Director of the Department of Taxation.
- Requires the Superintendent of Public Instruction, on or before May 31, 2006, to recalculate the ad valorem adjustment and the basic support guarantee amount for each school district for the 2006-2007 Fiscal Year based on the certified total of ad valorem taxes provided by the Director of the Department of Taxation (to be provided on or before April 25, 2006).
- Provides the basic support for 2,835 special education units at \$34,433 per unit in FY06 and 2,953 special education units at \$35,122 in FY07. Authorizes 40 special education program units for each

year of the biennium to be reserved by the State Board to meet additional needs that cannot be met through the regular allocations of special education units.

- Provides \$203,808 in FY06 for 5.92 special education program units and \$216,132 in FY07 for 6.15 special education program units for instructional programs incorporating educational technology for gifted and talented pupils. Any school district may submit an application to the department requesting one or more of the units. Department of Education to award units based on review of all applications received.
- Provides funds for adult high school diploma programs in the amount of \$18,435,662 in FY06 and \$21,484,388 in FY07. Funding to be distributed in accordance with a plan or formula developed by the Department of Education to ensure the funds are distributed equitably and in a manner that permits accounting of expenditures of school districts.
- Provides \$50,000 to each school district for each year of the biennium for special counselor services for elementary pupils at risk of failure.
- Appropriates \$10,132,421 in FY06 and \$10,310,364 in FY07 to maintain and continue the operations of four regional professional development centers (located in Clark, Douglas, Elko and Washoe Counties).
- Authorizes the Elko County School District to expend up to \$55,896 of the appropriation for the regional professional development center from FY06 to purchase not more than four vehicles for the operation of the Northeastern Nevada Regional Training Program.
- Appropriates \$100,000 each year of the biennium from the state distributive school account to the Legislative Bureau of Educational Accountability and Program Evaluation to spend for an evaluation of the regional professional development programs.
- Requires the Department of Education to transfer from the State Distributive School Account to the Statewide Council for the Coordination of the Regional Training Programs the sum of \$100,000 in each of the biennium for additional training opportunities for educational administrators in Nevada.
- Appropriates \$3,032,172 in FY06 and \$3,152,479 in FY07 to be used by the Department of Education for competitive state grants to school districts and community-based organizations for early childhood education programs. Funds to be distributed through application to the Department and requires an annual written report by the Department.
- Provides \$16,138,996 in FY06 and \$18,433,608 in FY07 to support the purchase of the one-fifth retirement credit for teachers who teach at a school which carries the designation of "need for improvement" or at a school that has at least 65 percent of the pupils who are at-risk. If insufficient funding is available to cover the total costs necessary to pay the retirement credit, the school district shall pay the difference to comply with the requirement.

Senate Bill 525 (Continued)

- Provides \$9,369,907 in FY06 and \$9,763,443 in FY07 to support the purchase of the one-fifth retirement credit for licensed personnel who hold an endorsement in the field of mathematics, science, special education, English as a second language or school psychologist. If insufficient funding is available to cover the total costs necessary to pay the retirement credit, the school district shall pay the difference to comply with the requirement.
- Specifies that of the amounts included in the basic support guarantee amounts, \$88,274,315 for Fiscal Year 2005-2006 and \$93,423,414 for Fiscal Year 2006-2007 must be expended for the purchase of textbooks, instructional supplies and instructional hardware.
- Provides \$81,663 each fiscal year to be used to reimburse school districts (Lyon County) for the additional costs of transportation for pupils.
- Appropriates \$8,391,659 in FY06 and \$9,171,421 in FY07 to Department of Education to provide health insurance subsidies to retired school district employees. Department of Education shall, from the money provided, make an allocation to each school district in the proportion of its obligation to the total obligation for all school districts.

- Appropriates \$4,000,000 to the Interim Finance Committee to provide allocations to school districts that incur unexpected expenses related to providing health insurance for their employees during the 2005-2007 biennium.
- This Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

Distribution of funds allocated through this bill will follow the same guidelines and procedures used to distribute the funds as in previous years.

Primary Department Contact

Doug Thunder, Deputy Superintendent, Telephone Number: (775) 687-9102 (Distributive School Account, Health Insurance Subsidies and Textbook Appropriations)

Phyllis Dryden, Director of the Office of Career, Technical & Adult Education, Telephone Number: (775) 687-9144. (Adult Education)

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174 (Retirement Credits)

Frankie McCabe, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140 (Special Education, Gifted and Talented, Early Childhood and Professional Development Programs)

Senate Concurrent Resolution 24 -Expresses support of Legislature for implementing standards for social studies curriculum offered in Nevada schools, particularly in area of civics and skills and values of citizenship.

Summary of Resolution

Expresses the support of the Legislature for implementing standards for the social studies curriculum that is offered in Nevada schools, particularly in the area of civics and the skills and values of citizenship. Provides that the Advisory Committee on Participatory Democracy, working with the Superintendent of Public Instruction and representatives of other pertinent education organizations interested in improving civic learning in Nevada, should meet before the start of the 2007 Legislative Session to review the status of the recommendations presented in the resolution and that the Advisory Committee and Superintendent shall make a full report to the 74th Session of the Nevada Legislature on the achievement of the goals set forth in the resolution.

Senate Concurrent Resolution 24 (Continued)

State Board/Department of Education Action Required

Superintendent of Public Instruction will work cooperatively with the Advisory Committee on Participatory Democracy to address recommendations in the resolution and to prepare the required report on the achievement of the goals of the resolution on or before January 31, 2007. School District information only.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

22nd SPECIAL SESSION BILLS

Assembly Bill 4 - Make appropriation for full-day kindergarten in certain schools.

Summary of Statute Changes

- Appropriates from the State General Fund to the Department of Education for Fiscal Year 2006-2007 the sum of \$22,000,000 for school districts to provide full-day kindergarten.
- Requires the Department of Education to distribute the funds appropriated for full-day kindergarten to school districts that elect to provide full-day kindergarten during the 2006-2007 school year.
- Specifies that in no event is a school district required to submit an application for an allocation of money or otherwise required to provide full-day kindergarten.
- Specifies that a school district that elects to participate in the program shall use the money to provide full-day kindergarten in each school within the school district that is prioritized for full-day kindergarten based upon the percentage of pupils enrolled in the school who are eligible for free or reduced price lunches.
- Specifies that a school district shall allocate the money by assigning first priority to those schools within the school district that have the highest percentage of pupils who are eligible for free or reduced price lunches.
- Allows a school within a school district that is currently providing full-day kindergarten with money that it receives from the Federal Government or other funding allocations, to redirect that money, to the extent authorized by applicable federal law, for other programs of remediation at the school and use the money provided by the Department of Education from the allocation to provide full-day kindergarten during the 2006-2007 school year.
- Allows a parent or legal guardian of a pupil who is otherwise zoned to attend a public school that provides full-day kindergarten to request that the pupil not be enrolled in full-day kindergarten. The school district in which the pupil is enrolled shall grant the request and ensure that the pupil is allowed to attend kindergarten, whether at the zoned school or another school, for less than a full day.
- This Act becomes effective on July 1, 2005.

State Board/Department of Education Action Required

The Department of Education will provide school districts with a preliminary list of elementary schools from the 2004-2005 school that have a minimum of 55% of the pupils who qualify for free and reduced lunch by September 1, 2005. School districts will be required to submit to the Department of Education the list of eligible schools who wish to participate in the full-day kindergarten program along with the need for additional portable classrooms (except for Clark County) by October 30, 2005.

Assembly Bill 4 (Continued)

Department of Education staff shall calculate the cost (teacher salaries and benefits only) to administer the full-day kindergarten program from the eligible schools submitted by each school district by November 30, 2005 to determine if sufficient funding is available to support all schools with 55% of the pupils who qualify for free and reduced lunch. The list of eligible schools will be finalized only after the official 2005-2006 school year free and reduced lunch counts are determined in December, 2005. Allocations to support the purchase of portable classrooms for the full day kindergarten programs will be made available after January 1, 2006.

Primary Department Contact

Donnell Barton, Office of Nutrition and School Health, Telephone Number: (775) 687-7284 (Free and Reduced Lunch Counts)

Bill Arensdorf, Office of Fiscal Accountability, Telephone Number: (775) 687-9174 (Allocation of funds)

Senate Bill 1 - Makes various changes relating to state financial administration.

Summary of Statute Changes

- Appropriates from the State General Fund to the Legislative Counsel Bureau the sum of \$250,000 for costs related to hiring a consultant to assist the interim committee appointed by the Legislative Committee to conduct a study to develop a plan for the deconsolidation of the Clark County School District. (Section 39)
- Appropriates \$1,400,000 each year of the biennium to the Interim Finance Committee to continue the contractual services of a consultant to provide brochures for the reporting of test scores of pupils, to provide web-based data and instructional tools to address and improve the performance of pupils on statewide examinations, and to provide related services identified by the Interim Finance Committee. (Section 40)
- Requires the consultant who is hired to develop the brochures for the reporting of test scores of pupils to provide brochures that include: norm-referenced examinations in grades 4, 7 and 10; the initial administration of the high school proficiency examination to pupils in grade 10; criterion-referenced examinations in each grade for grades 3 to 8, inclusive; and the writing examination in grades 5, 8 and 11. (Section 40)
- Sections 39 and 40 of this Act become effective on July 1, 2005.

State Board/Department of Education Action Required

No plan of action. District information only.

Primary Department Contact

Paul LaMarca, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

Senate Bill 4 - Revises provisions governing millennium scholarships.

Summary of Statute Changes

- Requires the Board of Regents to establish criteria with respect to students who have a documented physical or mental disability or who were previously subject to an individualized education program under the Individuals with Disabilities Education Act or a plan under Title V of the Rehabilitation Act of 1973 that provides an exemption for those students from the 6-year limitation on applications to participate in the program and the minimum number of credits required of a student to be eligible for the program funds.
- Limits a student who is eligible for a millennium scholarship from receiving more than the cost of 12 semester credits per semester.

Senate Bill 4 (Continued)

- Clarifies that the millennium scholarship funds can be used for courses taken during a summer academic term.
- Prohibits a student from using the millennium scholarship to pay for remedial courses.
- Specifies that a student must earn at least a 2.75 grade point average on a 4.0 grading scale for each semester during the second year of enrollment in the Governor Guinn Millennium Scholarship Program and for each semester during each year of enrollment thereafter.
- Specifies that if a student does not satisfy the grade point average requirements of the program during one semester of enrollment, excluding a summer academic term, he/she is not eligible for the millennium scholarship for the succeeding semester of enrollment. If such a student subsequently satisfies the requirements in a semester in which he/she is not eligible for the scholarship, he/she is eligible for the scholarship for his next semester of enrollment.
- Specifies that if a student fails a second time to satisfy the grade point average requirements during any subsequent semester, excluding a summer academic term, he/she is no longer eligible for a millennium scholarship.

- Requires the Board of Regents to establish procedures to ensure that all money from a millennium scholarship awarded to a student that is refunded in whole or in part for any reason is refunded to the Program and not the student.
- Appropriates from the State General Fund to the Millennium Scholarship Trust Fund the sum of \$35,000,000.
- All Sections of the bill described in this summary became effective upon passage and approval by the Governor on June 17, 2005.

State Board/Department of Education Action Required

No plan of action. District information only.

Primary Department Contact

Gloria Dopf, Deputy Superintendent, Telephone Number: (775) 687-9224